

REMARKS

In the Office Action dated October 5, 2007, the Examiner required restriction to one of the following inventions:

Groups I-VII, claim 4 drawn to a recombinant nucleic acid molecule comprising a nucleic acid that has at least 85% identify to a specified sequence or a complement or fragment of said nucleic acid having at least 15 contiguous nucleotides; wherein said nucleic acid is operably linked in sense orientation to a promoter that functions in a plant cell; wherein the specified sequence for groups I-VII is SEQ ID NO:2-8, respectively

Groups VIII-XIV, claim 5, drawn to a recombinant nucleic acid molecule comprising a nucleic acid that has at least 85% identify to a specified sequence or a complement or fragment of said nucleic acid having at least 15 contiguous nucleotides; wherein said nucleic acid is operably linked in antisense orientation to a promoter that functions in a plant cell; wherein the specified sequence for groups VIII-XIV is SEQ ID NO:2-8, respectively

Group XV-XXI, claim 6, drawn to a recombinant nucleic acid molecules comprising a nucleic acid that has at least 85% identify to a specified sequence or a complement or fragment of said nucleic acid having at least 15 contiguous nucleotides; wherein said nucleic acid is operably lined to a promoter that functions in a plant cell and wherein said nucleic acid is capable of expressing a dsRNA; wherein the specified sequence for groups XV-XXI is SEQ ID NO:2-8, respectively.

CLAIMS 1-3, 7-11, AND 14-29 LINK THE INVENTIONS OF GROUPS I-XXI

Group XXII, claim 12, drawn to an isolated polynucleotide having at least 70% identity to SEQ ID NO:1 or fragments of at least 15 contiguous nucleotides thereof.

Group XXIII, claim 13, drawn to an isolated polynucleotide having at least 70% identity to coding regions of SEQ ID NO:10 or fragments of at least 15 contiguous nucleotides thereof.

Group XXIV-XXX, claim 30, drawn to a method of modifying the lipid composition in a host cell that utilizes a specified DNA sequence or complements or fragments thereof, wherein the specified DNA sequence for groups XXIV-XXX is SEQ ID NO:2-8, respectively.

Applicants elect without traverse the subject matter of Group XV: claim 6, linked with claims 1-3, 7-11, and 14-29, drawn to a recombinant nucleic acid molecule comprising as operably linked components: (A) a promoter that functions in a plant cell to cause production of an mRNA molecule; and (B) a nucleic acid sequence that has at least 90% identity to SEQ ID NO: 2 over the length of said sequence, a complement thereof, or fragments of at least 25 contiguous nucleotides of either; wherein said promoter functions in a plant cell and said nucleic acid molecule is capable of expressing a dsRNA. See Claims 1 and 6. Applicants have withdrawn claims 4-5, 12-13, and 30 without prejudice or disclaimer to the subject matter disclosed therein. Claims 1-3, 6-11, 14-22, and 24-28 have been amended to clarify the elected subject matter and are within the scope of elected Group XV. Applicants understand that SEQ ID NO's 3 through 8 have been placed into separate restriction groups which can be prosecuted with the linking claims in divisional applications. As such, Applicants specifically reserve the right to prosecute the non-elected inventions, including non-elected SEQ ID NO's 3 through 8, in divisional applications. Also, Applicants understand that if claim 1 is found allowable, Applicants retain the right to rejoin the non-elected claims of Groups I and VIII in the instant application. No new matter has been added by the foregoing amendment.

CONCLUSION

In view of the above, each of the presently pending claims is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding objection and rejections of the claims, and to pass this application to issue. The Examiner is encouraged to contact the undersigned at (202) 942-5186 should any additional information be necessary for allowance.

Respectfully submitted,

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